

# GOVERNMENT CONTRACT REVIEW COMMITTEE

## Committee Minutes

January 14, 2004

The 7th meeting of the Government Contract Review Committee was held on Tuesday, January 14, 2004, at 3:30 PM, in Room 149 of the Capitol Annex. Senator Jack Westwood, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Jack Westwood, Co-Chair; Representative Brent Yonts, Co-Chair; Senators Ernesto Scorsone, Gary Tapp, and Elizabeth Tori; Representatives Jesse Crenshaw, Jeffrey Hoover, and Kathy Stein.

Guests: Gary Link, Gary Bale, Kenneth Sperry, and Sondra Seibert.

LRC Staff: Michael L. Meeks, Kim Eisner, Joseph Hood, John Schaff, Garnett Thurman, Lisa Whittaker, and Jennifer Wilson.

A motion was made by Representative Yonts to approve the Minutes of the December 10, 2003 meeting of the committee. Representatives Stein and Crenshaw seconded the motion, which passed unanimously.

A motion was made by Representative Yonts to consider as reviewed, the Routine Contracts List with exception of those contracts selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the Routine Amendment List with exception of those amendments selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the Routine Memoranda of Agreement List with exception of those agreements selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the Routine Memoranda of Agreement Amendment List with exception of those amendments selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the MARS Personal Service Contracts List with exception of those contracts selected for further review by

members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the MARS Personal Service Contract Amendment List with exception of those amendments selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the MARS Memoranda of Agreement List with exception of those agreements selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the MARS Memoranda of Agreement Amendment List with exception of those amendments selected for further review by members of the committee. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the Additions List. Representative Crenshaw seconded the motion, which passed without objection.

A motion was made by Representative Yonts to consider as reviewed, the Corrections List. Representative Crenshaw seconded the motion, which passed without objection.

THE FOLLOWING ROUTINE CONTRACTS  
WERE CONSIDERED AS REVIEWED WITHOUT OBJECTION:

EASTERN KENTUCKY UNIVERSITY:

Bluegrass Regional Mental Health Mental Retardation Board, 04-062; Russell Behanan, 04-060.

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM:

The Federalist Group, 222.

KENTUCKY LOTTERY CORPORATION:

Data Safe, LLC, 04-02-053.

UNIVERSITY OF LOUISVILLE:

JRA Architects Incorporated, 04-51; Voelker Winn Architects Incorporated, 04-52.

WESTERN KENTUCKY UNIVERSITY:

Multi-Plumbing/Mechanical/Electrical; 38-03-04; Multi-Civil/Structural/Geotechnical, 34-03-04; Multi-Surveying, 39-03-04; Multi-Architectural, 35-03-04; Multi-Environmental, 36-03-04; Multi-Landscape Architecture, 37-03-04; Southern Regional Radon Training Center/Auburn University, 33-03-04; Joe B. Campbell, 32-03-04.

THE FOLLOWING ROUTINE AMENDMENTS  
WERE CONSIDERED AS REVIEWED WITHOUT OBJECTION:

KENTUCKY LOTTERY CORPORATION:

Marr Reprographics, 04-99-069.

UNIVERSITY OF KENTUCKY:

CMW Incorporated, A981240.

THE FOLLOWING ROUTINE MEMORANDUM OF AGREEMENT AMENDMENT  
WAS CONSIDERED AS REVIEWED WITHOUT OBJECTION:

KENTUCKY HOUSING CORPORATION:

University of Louisville, M2004-1.

THE FOLLOWING MARS PERSONAL SERVICE CONTRACTS  
WERE CONSIDERED AS REVIEWED WITHOUT OBJECTION:

FINANCE AND ADMINISTRATION CABINET - DIVISION OF ENGINEERING:

Nesbitt Engineering Incorporated, C-03463496; Godsey Associates Architects Incorporated, C-03463600.

GOVERNOR'S OFFICE FOR TECHNOLOGY:

Space Imaging Incorporated, M-03451813.

LIBRARIES & ARCHIVES, DEPARTMENT FOR:

Highsmith Company Incorporated, M-03326220.

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT FOR:

Siddiqi MD, Siraj, C-03388718; Clear Choice Hearing Aids and Audiology, C-03411273.

MILITARY AFFAIRS, DEPARTMENT OF:

Lynch Cox Gilman and Mahan, C-03325108.

NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET:

Currentmarketing Incorporated, C-03351473; ITM Incorporated, C-03410937.

PUBLIC HEALTH, DEPARTMENT FOR:

Lincoln Foundation Incorporated, C-03262268.

PUBLIC SERVICE COMMISSION:

Tellus Institute, C-03460741; Utility and Economic Consulting, C-03461034; Duncan, Weinber, Genzer & Pembroke, P.C., C-03460523.

THE FOLLOWING MARS PERSONAL SERVICE CONTRACT AMENDMENTS  
WERE CONSIDERED REVIEWED WITHOUT OBJECTION:

EDUCATIONAL TELEVISION, KENTUCKY:

Potter and Company, LLP, C-03126468-XXX.

FAMILIES & CHILDREN, CABINET FOR:

Policy Studies Incorporated, C-03283231-XXX.

FINANCE AND ADMINISTRATION CABINET - DIVISION OF ENGINEERING:

McCloskey, Forrest, C-03218153-XXX; Johnson Romanowitz Architects, C-99003067-XXX; Fuller Mossbarger Scott and May Engineers Incorporated, C-99051551-XXX.

FISH & WILDLIFE, DEPARTMENT OF:

Garner, Mark D., D/B/A M and M Forestry, C-02310096-XXX.

HIGHER EDUCATION ASSISTANCE AUTHORITY:

Silver Voit and Thompson, C-02263307-XXX.

LOCAL GOVERNMENT, DEPARTMENT FOR:

Housing and Development Software, C-02123480-XXX.

PERSONNEL BOARD:

Bolton, Steven G., M-02183091-XXX; Harvey, Prentice A., M-02184224-XXX; McMurtry, Stephen T., M-02184818-XXX; Arzen and Wentz, M-02184946-XXX; Merkel, Roland P., M-03304595-XXX.

TRANSPORTATION CABINET:

Presnell Associates Incorporated, D/B/A QK4, C-00240486-XXX; HMB Professional Engineers Incorporated, C-02136536-XXX; American Consulting Engineers, C-99135245-XXX.

TREASURER, OFFICE OF THE KENTUCKY STATE:

ACS Unclaimed Property Clearing, C-03143265-XXX.

THE FOLLOWING MARS MEMORANDA OF AGREEMENT  
WERE CONSIDERED REVIEWED WITHOUT OBJECTION:

EDUCATION, DEPARTMENT OF:

Treasurer Jefferson County Board of Education, M-03172195.

FISH & WILDLIFE, DEPARTMENT OF:

Kentucky State Nature Commission, M-03438162.

LOCAL GOVERNMENT, DEPARTMENT FOR:

City of Fleming Neon, M-03429013; Hancock County Fiscal Court, M-03440163; City of Covington, M-03440220; City of Paintsville, M-03440388; City of Paducah, M-03440530; City of Bowling Green, M-03440977; City of Calvert City, M-03441016; Edmonson County Fiscal Court, M-03441565; Lyon County Fiscal Court, M-03441585; Caldwell County Fiscal Court, M-03441980; City of Hopkinsville, M-03442045; Hopkins County Fiscal Court, M-03460843.

MILITARY AFFAIRS, DEPARTMENT OF:

Lexington Fayette Urban County Government, M-03366348.

NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET:

Whitley County Fiscal Court, M-03398640; Energy Services Coalition, M-03410081.

PUBLIC HEALTH, DEPARTMENT FOR:

Kentucky Transportation Cabinet Division of Vehicle Enforcement, M-03411241.

TRANSPORTATION CABINET:

Harlan County Fiscal Court, C-03122528; City of Stanford, C-03266495; City of Owensboro, C-03286496; MSD In Lieu Fee Mitigation Fund, M-03422128.

THE FOLLOWING MEMORANDA OF AGREEMENT AMENDMENTS  
WERE CONSIDERED REVIEWED WITHOUT OBJECTION:

FAMILIES & CHILDREN, CABINET FOR:

Treasurer Bowling Green Independent Board of Education, M-02174596-XXX; Treasurer Hardin County Board of Education, M-02178253-XXX; Treasurer Henderson County Board of Education, M-02178318-XXX; Blue Grass Community Action Agency, M-03115273-XXX; Community Action of Lexington Fayette, M-03115638-XXX; Middle Kentucky River Area Development Council, M-03117301-XXX; Community Action of Southern Kentucky Incorporated, M-03121192-XXX; Kentucky Association for Community Action Incorporated, M-03121254-XXX; Lexington Fayette Urban County, M-03186320-XXX.

HEALTH SERVICES, CABINET FOR:

Lifeskills, M-03110743-XXX; Barren River District Health Department, M-03110781-XXX; Bluegrass Area Development District, M-03116958-XXX.

HOUSING, BUILDINGS & CONSTRUCTION, DEPARTMENT OF:

City of Louisville Department of Inspections, M-03180797-XXX.

INFRASTRUCTURE AUTHORITY:

Barren River Area Development District, M-02303525-XXX; Big Sandy Area Development District, M-02304112-XXX; Bluegrass Area Development District, M-02304201-XXX; Buffalo Trace Area Development District, M-02304221-XXX; Cumberland Valley Area Development District, M-02304344-XXX; FIVCO Area Development District, M-02304349-XXX; Gateway Area Development District, M-02304368-XXX; Green River Area Development District, M-02304375-XXX; Kentuckiana Regional Planning, M-02304381-XXX; Kentucky

River Area Development District, M-02304392-XXX; Lake Cumberland Area Development District, M-02304393-XXX; Lincoln Trail Area Development District, M-02304409-XXX; Northern Kentucky Area Development District, M-02304414-XXX; Pennyryle Area Development District, M-02304419-XXX; Purchase Area Development District, M-02304421-XXX.

LOCAL GOVERNMENT, DEPARTMENT FOR:

Marshall County Fiscal Court, M-00217215-XXX; City of Murray, M-01382013-XXX; City of Springfield, M-01388616-XXX; City of Corbin, M-02068487-XXX.

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT FOR:

Seven Counties Services, M-02089528-XXX; Lifeskills Incorporated, M-03056320-XXX; Pathways Incorporated, M-03057310-XXX; Northern Kentucky Regional Mental Health Mental Retardation Board, M-03057312-XXX; Green River Regional Mental Health Mental Retardation Board D/B/A Rivervalley Behavior, M-03057315-XXX; Seven Counties Services, M-03057317-XXX; Mountain Comprehensive Care Center, M-03057318-XXX; Lake Cumberland Mental Health Mental Retardation Board D/B/A The Adanta Group, M-03057319-XXX; Kentucky River Community Care, M-03057321-XXX; Four Rivers Behavioral Health, M-03057324-XXX; Cumberland River Mental Health Mental Retardation Board Incorporated, M-03057326-XXX; Communicare Incorporated, M-03057327-XXX; Comprehend Incorporated, M-03057328-XXX; Bluegrass Regional Mental Health Mental Retardation Board, M-03057330-XXX; Pennyroyal Mental Health Mental Retardation Board, M-03057334-XXX; Seven Counties Services, M-03111337-XXX.

NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET:

Edmonson County Conservation District, M-03125790-XXX; Natural Resources Division of Conservation, M-03004677-XXX.

NATURE PRESERVES COMMISSION:

Kentucky Department of Parks, M-03119178-XXX.

PUBLIC HEALTH, DEPARTMENT FOR:

Lexington Fayette County Health Department, M-03152288-XXX; Northern Kentucky District Health Department, M-03155301-XXX; Cumberland Valley District Health Department, M-03155599-XXX; Anderson County Health Department, M-03160695-XXX; Barren River Health Department, M-03160696-XXX; Boyle County Health Department, M-03160698-XXX; Breckinridge County Health Department, M-03160701-XXX; Bullitt County Health Department, M-03160704-XXX; Jessamine County Health Department, M-03161548-XXX; Laurel County Health Department, M-03161670-XXX; Lincoln Trail District Health Department, M-03161935-XXX; Madison County Health Department, M-03161978-XXX; Mercer County Health Department, M-03162103-XXX; Monroe County Health Department, M-03162111-XXX; Muhlenberg County Health Department, M-03162141-XXX; North Central District Health Department, M-03162151-XXX; Northern Kentucky District Health Department, M-03162165-XXX; Oldham County Health Department, M-03162183-XXX; Pike County Health Department, M-03162230-XXX; Purchase District Health Department, M-03162784-XXX; WEDCO District Health Department, M-03162932-XXX; Ashland Boyd County Health Department, M-

03163445-XXX; Christian County Health Department, M-03163804-XXX; Lake Cumberland District Health Department, M-03179724-XXX; Barren River Health Department, M-03181763-XXX; Kentucky River District Health Department, M-03179739-XXX; Purchase District Health Department, M-03179719-XXX; Lexington Fayette County Health Department, M-03164107-XXX; Green River District Health Department, M-03179748-XXX.

THE FOLLOWING ROUTINE CONTRACT WAS  
SELECTED FOR FURTHER REVIEW:

UNIVERSITY OF KENTUCKY:

China Training Programs Incorporated, K04-129. Gary Link discussed the contract with the committee. Representative Crenshaw made a motion to consider the item as reviewed without objection. Representative Stein seconded the motion, which passed unanimously.

THE FOLLOWING ROUTINE AMENDMENTS WERE  
SELECTED FOR FURTHER REVIEW:

LEGISLATIVE RESEARCH COMMISSION:

Mark Overstreet, Stites & Harbison, PLLC, 03/04-08; Mark Overstreet, Stites & Harbison, PLLC, 03/04-16. John Schaaf discussed the amendments with the committee. Senator Tapp made a motion to consider the items as reviewed without objection. Senator Scorsone seconded the motion, which passed unanimously.

THE FOLLOWING ROUTINE MEMORANDUM OF AGREEMENT  
WAS SELECTED FOR FURTHER REVIEW:

UNIVERSITY OF KENTUCKY:

Administrative Office of the Courts, M406525. Representative Yonts made a motion to consider the item as reviewed without objection. Representative Crenshaw seconded the motion, which passed unanimously.

THE FOLLOWING MARS PERSONAL SERVICE CONTRACT  
WAS SELECTED FOR FURTHER REVIEW:

FINANCE AND ADMINISTRATION CABINET:

Stites and Harbison, PLLC, C-03427076. Gary Bale discussed the contract with the committee. Senator Scorsone made a motion to defer the item to the February meeting of the committee. Representative Yonts seconded the motion. The motion failed on a tie vote. Senator Tapp made a motion to consider the item as reviewed, without objection. Senator Tori seconded the motion. The motion to consider the item as reviewed, without objection failed on a tie vote. Senator Scorsone asked and Mr. Bale agreed to provide the committee with the billing records of the above listed contractor.

The Transportation Cabinet presented a proposal for obtaining appraisal contracts in right of way and utility matters that included an exemption from committee review. The committee

agreed to allow the cabinet to submit master agreements for such contracts in amounts not to exceed \$25,000.00 each and waive the committee 90-Day Rule relating to contract amendments.

With no further business before the committee, the meeting adjourned at 4:17 p.m.